

(ARR)

To: The Honorable
Allene R. Ross

8-11-22

Greetings & Blessings!

Good day, to you and the Court Mrs. Ross.

I am writing before you in regard to the

"Abstract of order for Pre Sentence Investigation".

It is to my knowledge that, upon receiving P.S.R., I have up to 14 days to deliver in writing, any objections I wish to make pertaining to the P.S.R.

My attorney received the report from probation & discussed it with me via telephone, at which time certain details in the report was left out.

My Attorney, weeks later sent a copy of the report to me via Legal Mail, which

I received already open & appeared to be photo copied. While reviewing the report

myself, I realized there was important information & details in the report that was not discussed or explained to me by my attorney.

Therefore, I am writing before you to inform you that I received the Pre Sentence Investigation Report

on 8-9-22 & I am writing this on 8-11-22,

and I ^{have} a few objections I wish to make, pertaining to the report. Also, I am begging for your

Pardon for my miscommunication with my attorney & my delay of notice of objections.

This next paper is the objections I wish to

send to probation, I do not have the address to probation so I'm asking if the court can make probation aware of my objections.

Thank you for your time & consideration. Blessings to

You & your loved ones!

-Destin Barks

98415053

To: Michelle B. Malko
United States Probation Officer

8-11-22

Greetings & Blessings

At the arrival of this piece of paper, I wish you, your loved ones, & the department of probation, the best states physically, mentally & Spiritually!

Moreover, I am writing before you inference to Pre Sentence Investigation Report. It is to my understanding that I have up to 14 days, after receiving the report to deliver, in writing to the probation department, any objections I have pertaining to the report giving. You sent the report to my attorney, which he went over it with me via telephone. ^{at} Which time we made no objections. However, a few weeks later the report was mailed to me & I realized there was important information in the report that was not discussed or explained to me by my attorney. I received the report on 8-9-22, I am writing this on 8-11-22 & underneath is to what I wish to object to.

- ① First, I wish to object to the offense level computation, The addition of 4 levels being added for the Specific Offense Characteristics to be exact (Paragraph 12). According to the report, it states "The defendant used the ammunition cited in the offense of conviction in connection with another felony offense specifically attempted murder (Class B Felony) therefore, 4 levels are added". I did not plead guilty to "using"

I pled guilty to simply possessing ammunition. Furthermore, it states "in connection with another felony offense," I have no other charges against me. The attempted murder mentioned above, ~~was~~ dropped & pursued. Therefore, I see no justification for 4 levels to be added. ~~to be added~~

The second objection I have, is in regard to paragraph #22 in the presentence investigation report. I was giving 1 point for my criminal history for an offense that did not occur while I was an legal adult, I was 17 on the date of offense & I was charged as an Youthful Offender. Therefore, I believe 1 point should not be warranted.

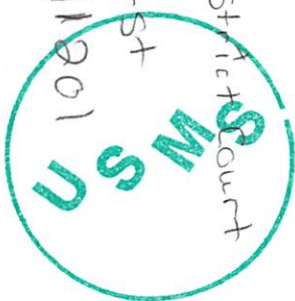
My last objection is to paragraph 74. I believe me being incarcerated since the start of the covid-19 pandemic, being confined to a two-man cell due to modified-lockdown because of the pandemic, for 12 months. Due to the pandemic there was food shortages & supply shortages. I've contracted minor bacterial infections on numerous times, due to lack of chemical & being confined to unsanitized areas throughout the prison. Only being able to shower 2 times a week. I would consider that living under harsh conditions, I also suffer from deep depression & anxiety from ~~losing~~ losing my father since being incarcerated & am currently under anti-depression medication. With those factors being stated, I believe an sentence outside (under) of the guideline system should be warranted. Once again pardon me for the miscommunication with me and my attorney & pardon me for the slight delay of notice. Thank you for your time, Blessings to you & your loved ones!

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The Honorable Judge
Allene R. Ross

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